

LAKE COUNTY PLANNING AND COMMUNITY DESIGN STAFF ANALYSIS APPLICATION FOR CONDITIONAL USE PERMIT

LAKE COUNTY ZONING BOARD
August 1, 2007



BOARD OF COUNTY COMMISSIONERS
August 28, 2007

Case: PH#30-07-5	Case Manager: Karen Ginsberg, Senior Planner	Agenda Item #
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- Application Request -

Owner:	Onsi Derias (the "Owner")	Applicant:	Onsi Derias (the "Applicant")
Future Land Use:	Urban	Zoning District:	Ranchette (RA)
Land Use Density:	7 dwelling unit/ 1 acres	Zoning Density:	1 dwelling unit/ 5 acres

Requested Action: The Applicant is requesting to rezone property from Ranchette District (RA) to Planned Commercial District (CP) to construct a building for professional offices and medical services.

- Site Information -

Size of Parcel:	5 +/- acres
Map Location:	Section 18/ Township 18S/ Range 24E
Location:	Lady Lake Area – northwest of the intersection of Rolling Acres Road and County Road 466 on County Road 466, AK# 1279691.
Joint Planning Area:	Town of Lady Lake
Utility Area:	Town of Lady Lake
Site Utilities:	Individual wells and septic systems
Road Classification:	County Road 466 – Urban Collector
Site Visit: June 14, 2007	Sign(s) Posted:
Commissioner's District:	5 (Commissioner Cadwell)

SURROUNDING LAND USE		SURROUNDING ZONING	
NORTH	Single-family residential	NORTH	RA (Ranchette)
SOUTH	Single-family residential	SOUTH	A (Agriculture)
EAST	City of Lady Lake	EAST	City of Lady Lake
WEST	Single-family residential	WEST	RA (Ranchette)

- Summary of Staff Determination -

STAFF RECOMMENDATION: Staff recommends **DENIAL** of the request to rezone 5 acres from Ranchette (RA) to Planned Commercial (CP).

ZONING BOARD RECOMMENDATION:

- Summary of Analysis -

The Applicant is seeking to rezone the subject property from Ranchette District (RA) to Planned Commercial District (CP) to allow for the construction of a professional office and medical services building, as demonstrated on the submitted conceptual plan (Exhibit "B"). The subject parcel is approximately 5 acres in size and is located south of the Town of Lady Lake, and lies within the Urban Future Land Use Category (FLUC). Per Land Development Regulations (LDR) Table 3.00.03, Land Use–Zoning District Matrix, Planned Commercial is permissible within the Urban FLUC. Per Comprehensive Plan Policy 1-1.6, Function of Future Land Use Category, new commercial development is permitted within the Urban Future Land Use Category provided such development meets the location criteria for commercial activity centers.

Per Policy 1-3A.1 (2)(A), Commercial Development in the Land Use Classification of Community Activity Centers, the subject property should be located at the intersection of two arterials or at the intersection of an arterial and a collector, or along an arterial at an appropriate distance from the intersection. As County Road 466—which services the site under review—is an Urban Collector, the site does not meet the aforementioned commercial location criteria. Per Policy 1-3A.1 (2)(G), centers shall be located so that there is not a substantial overlap of its service area with the service area of existing centers. At the time of the staff conducted site visit, there were no less than five (5) built or proposed professional office and medical buildings within close proximity to the subject site (Exhibit "C").

Due to the conflicts cited above with Policy 1-3A.1(2) where the subject property fails the commercial location criteria and has considerable overlap in its proposed service area, Staff recommends **DENIAL** of this rezoning request.

- Findings of Fact -

(Per Section 14.03.03 of the Lake County Land Development Regulations)

- A. Whether the proposed rezoning is in conflict with any applicable provisions of these Regulations;**
The proposed rezoning is consistent with the Land Development Regulations as seen in Table 3.00.03, Land Use–Zoning District Matrix, that permits the Planned Commercial Zoning District within the Urban FLUC. Additionally, Table 3.01.03, Schedule of Permitted and Conditional Uses, allows Professional Offices within Planned Commercial Districts.
- B. Whether the proposed rezoning is consistent with all elements of the Lake County Comprehensive Plan;**
The proposed rezoning is not consistent with the Comprehensive Plan Policies 1-3A.1 and 1-1.6.
- Per Policy 1-3A.1 (2)(A), Commercial Development in Land Use Classification, Community Activity Centers, the subject property should be located at the intersection of two arterials or at the intersection of an arterial and collector, or along an arterial at an appropriate distance from the intersection to qualify as a community activity center. County Road 466 is an Urban Collector. Per Policy 1-3A.1 (2)(G), community activity centers shall be located so that there is not a substantial overlap of its service area with the service area of existing centers. At the time of staff conducted site visit, there was no less than five (5) built or proposed professional office and medical buildings within close proximity to the subject site.
- Per Policy 1-1.6, Function of Future Land Use Category, new commercial development is permitted within the Urban Future Land Use Category provided such development meets the location criteria for commercial activity centers. As this property does not meet location requirements for a community activity center, it is not consistent with the Urban Future Land Use criteria.
- C. Whether and the extent to which the proposed rezoning is inconsistent with existing and proposed land uses;**
County Road 466 is primarily rural in character. The rezoning would be inconsistent with neighboring surroundings. This finding is supported by the site's failure to meet commercial development requirements per Future Land Use Category Policy 1-1.6.
- D. Whether there have been changed conditions that require a rezoning;**
Rezoning will be required for any proposed commercial development.
- E. Whether and the extent to which the proposed rezoning would result in demands on public facilities, and whether or to the extent to which the proposed rezoning would exceed the capacity of such public facilities, including, but not limited to roads, sewage, water supply, drainage, solid waste, parks and recreation, schools and emergency medical facilities;**
Central water and sewer service are presently available by the Town of Lady Lake, a public utility. Per Comprehensive Plan Policy 1-1.6A, the development shall be required to connect to public system, if available. Any impacts or demands on the road system will be addressed during development review for any

proposed expansion of the facility.

- F. **Whether and the extent to which the proposed rezoning would result in significant adverse impacts on the natural environment;**
A staff-conducted GIS analysis shows that there are no wetlands on the subject parcel. Staff notes that an environmental assessment addressing habitat and species shall be required during the development review phase of the project.
- G. **Whether and the extent to which the proposed rezoning would adversely affect the property values in the area;**
There is no indication that the proposed rezoning would adversely affect the property values in the area.
- H. **Whether and the extent to which the proposed rezoning would result in an orderly and logical development pattern, specifically identifying any negative effects on such patterns;**
The proposed rezoning is not consistent with the general character of County Road 466. With exception of several built or planned office buildings, the Road is extremely rural. Rezoning at this time appears premature.
- I. **Whether the proposed rezoning would be in conflict with the public interest, and in harmony with the purpose and intent of these Regulations; and**
The proposed rezoning is not consistent with Comprehensive Plan Policy 1-3A.1, Commercial Development in Land Use Classification, Community Activity Centers, and thus does not meet the commercial activity center requirement set forth in Policy 1-1.6. It is not in harmony with the general intent of the Lake County Comprehensive Plan.
- J. **Any other matters that may be deemed appropriate by the Lake County Zoning Board or the Board of County Commissioners in review and consideration of the proposed rezoning**
NONE.

FINDINGS OF FACT: The proposed rezoning is not consistent with the Lake County Comprehensive Plan Policies 1-1.6 and 1-3A.1 as presented and, even though the rezoning would be consistent with Table 3.00.03 and Table 3.01.03 of the Land Development Regulations which permit the Planned Commercial zoning classification in the Urban Future Land Use Category and list professional office as a permitted use for Planned Commercial, staff recommends for **DENIAL** of this request as the Comprehensive Plan supersedes the Land Development Regulations.

WRITTEN COMMENTS FILED: NONE

FINAL ACTION B.C.C.: